REMARKS

I. Status of the Claims

The Applicants have carefully reviewed the Office Action dated May 13, 2008, and the references cited therein. In the Office Action, all pending claims were rejected under 35 U.S.C. § 103(a) over U.S. Patent Publication No. 2004/0228314 to Malkamaki (*Malkamaki*) in view of U.S. Patent Publication No. 2005/0041626 to Tiirola et al. (*Tiirola*). The Applicants respectfully traverse all rejections. In addition, the Applicants have amended claims 1, 5 and 6 to correct informalities without changing the sclaim scope. No new matter has been added.

II. Claim Rejections Under 35 U.S.C. § 103(a)

Turning now to the cited references, *Malkamaki* is directed to a method that "provides a time multiplexing scheme for multiplexing channels with different [time transmission intervals." *See Malkamaki* at [0012]. Further, *Malkamaki* specifically states that:

> [t]his method includes a step of reserving space for the first transmission channel at predetermined positions by supplying a stream of placeholder bits to a channel multiplexing of the at least one second transmission channel.

See Malkamaki at [0013]. To reserve space for data channels, placeholder bits or indication bits are supplied to the normal transport channel multiplexing. These placeholder bits are removed after demultiplexing. *See Malkamaki* at [0037].

On the other hand, *Tiirola* describes a "transmission power control based on a [signal-to-interference ratio] measurement. *See Tiirola* at [0011]. The system of *Tiirola* provides a step that "adjusts a target SIR based on the quality measured." *See Tiirola* at [0011]. Further, *Tiirola* is particularly directed to a method of retransmitting a packet by "setting a lower target SIR for retransmission of a packet than the target SIR for the first transmission of the corresponding packet. *See Tiirola* at [0011]. In particular, adjusting the target SIR in *Tiirola* is based on the quality measured in the first transmission. *See Tiirola* at [0011]. As noted in *Tiirola*, it lowers the transmission power "during a retransmission of a packet or between transmissions of packets in order to decrease interference." *See Tiirola* at [0045]. This is done by "adjusting the target SIR value properly." *See Tiirola* at [0011]. As will be described

below, the alleged combination of *Malkamaki* and *Tiirola* does not describe every limitation taught in claim 1.

Turning now to the pending claims, claim 1 recites a method of supporting pilot boost comprising, *inter alia*, transmitting a E-TFCI to a node B by a user equipment (UE), adjusting an uplink pilot power boosting amplitude by the UE according to the E-TFCI, and performing an uplink inner loop power control by the Node B according to a measured SIR, a target preset by the inner loop power control, and a pilot boost amplitude resulted from the E-TFCI. The Applicants submit that none of the cited art, either alone or in combination, describes the recitations taught in claim 1.

At the outset, the Applicants respectfully note that, in supporting an obviousness rejection, the Examiner must consider the cited references in their entirety. *See MPEP § 2142.01(VI)*. Thus, it is improper to merely graft individual limitations from the prior art into various references to determine obviousness. Rather, the Examiner must consider the entirety of each of the cited references to determine whether such a combination would even be possible. As will be illustrated below, it is axiomatic that the rejections contained in the present Office Action are a result of failing to read and understand the references in full.

With reference to the above, the Examiner contends that *Tiirola* describes adjusting an uplink pilot power boosting amplitude by the UE according to the E-TFCI. Specifically, the Examiner relies on the background to support this proposition. However, the background makes no mention of an uplink pilot power boosting amplitude or the E-TFCI. Rather, the cited portions describe adjusting the ***transmission power*** of the UE based on the signal-to-interference ration (SIR). Further, as shown in FIG. 6 of *Tiirola*, the base station also measures the "quality of the packet switched connection" provided by the UE and "*adjusts a target SIR* based on the quality measured in step 604." *See Tiirola* at [0042] (emphasis added). As noted in the background of *Tiirola*, adjusting the target SIR corresponds to the outer loop control. *See Tiirola* at [0008]. Further, there is no teaching or suggestion in *Tiirola* that either the quality of the packet or the SIR measurement correspond to the E-TFCI. Therefore, these descriptions do not correspond to the limitations of claim 1, which recites adjusting an uplink pilot power boosting amplitude by the UE according to the E-TFCI.

The Examiner also alleges that *Tiirola* describes performing an inner loop power control according to a measured SIR, a target preset by the inner loop power control and a

pilot power boosting amplitude resulted from the E-TFCI. To support this proposition, the Examiner cites to a portion of *Tiirola* that states:

> The base station may compare the SIR estimate to a target SIR, and transmit a signal 202 with a command, which depends on the comparison. If the value of the SIR estimate is smaller than the value of the target SIR, the base station 108 may command the user terminal 110 to increase its transmission power. If, on the other hand, the SIR estimate is higher than the target SIR, the base station may command the user terminal to decrease its transmission power.

See Tiirola at [0029]. However, as described in the background of Tiirola, comparing the SIR of the received signal to a target SIR constitutes the inner loop control. *See Tiirola* at [0007]. Thus, the inner loop power control of *Tiirola* does not correspond to the recitations of claim 1, which recites performing an inner loop power control according to a measured SIR, a target preset by the inner loop power control, and a pilot boost amplitude resulted from the E-TFCI.
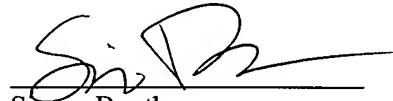
Further, the system described in *Tiirola* increases or decreases the outer loop power control based on the quality of the packet, which is determined based on a reliability indicator such as a Cyclic Redundancy Check (CRC). *See Tiirola* at [0033]. The quality of measurement is used to adjust the Target SIR, which corresponds to the outer loop control and causes the UE to increase or decrease its transmission power. Such description does not correspond to performing an inner loop power control according to a measured SIR, a target preset by the inner loop power control, and a pilot power boosting amplitude resulted from the E-TFCI.

Additionally, none of the cited references describe adjusting an uplink pilot power boosting amplitude. In particular, *Malkamaki* discloses the pilot SIR in FIG. 2, but does include any corresponding description of the pilot SIR. Thus, for at least the foregoing reasons, claim 1 and all claims dependent therefrom would not have been obvious from *Tiirola* applied alone or in any reasonable combination with *Malkamaki*.

III. Conclusion

Based on at least the foregoing, the Applicants submit that the foregoing remarks are fully responsive to the Office Action and request withdrawal of all rejections. Further, the Applicants respectfully submit that the claims are in condition for allowance and notice to that effect is respectfully requested. If the Examiner is of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is encouraged to contact the undersigned at the telephone number identified below.

Respectfully submitted,

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Dated: August 4, 2008